

REMARKS

Favorable and prompt allowance of the pending claims in the application is respectfully requested on the basis of the following particulars.

1. In the claims

In the AMENDMENT TO THE CLAIMS, independent claims 12, 22 and 23 are each amended. The remaining claims depend from claim 12, and remain unchanged.

Claim 12 is amended to clarify that the second facing layer is directly “bonded” to the proximal surface of the absorbent core. Support for this amendment is found by way of page 20, second full paragraph. Claim 12 is also amended to recite that the second facing layer defines a “grid” pattern of “through-extending apertures” and “non-apertured regions” surrounding the apertures. Support for this language is found at least by way of Figs. 2 and 4, and corresponding sections in the application.

Moreover, claim 12 is amended to recite a silicone gel “compound” and that the thickness of the non-apertured regions consists the silicone gel compound. Support for the language regarding the silicone gel compound is found at least in the discussion on pages 21 and 22 of the specification, and the description of the non-apertured regions is found in at least Figs. 2 and 4, and in the specification regarding how the facing layer may be formed.

Claims 22 and 23 are both amended in a similar manner to claim 12.

Claim 19 is amended to overcome the objection in the action regarding the language “of the backing layer.” Removal of the objection is kindly requested.

It is submitted that the amendment to the claims does not introduce new matter into the application. Entry of the amendment to the claims is respectfully requested in the next Office communication.

2. Rejection of claim 23 under 35 U.S.C. § 112, first paragraph

Withdrawal of this rejection is respectfully requested in view of the amendment to claim 23 which finds clear support in the specification. Particularly,

the drawings and the specification make it clear that the facing layer consists the silicone gel compound, as shown in Figs. 2 and 4, and discussed at least in the specification at page 29 through 33 wherein various methods for forming the facing layer are described.

As such, it is submitted that the amendment to claim 23 and further the other pending claims in the application comply with 35 U.S.C. § 112. Accordingly, withdrawal of the rejection of claim 23 is kindly requested.

3. Rejection of claims 12-19 and 22 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 4,664,106 (*Snedeker*) in view of WO publication 87/05206 (*Fabo*)

Reconsideration of the rejection of the claims is courteously requested in view of the amendment to the claims and the following remarks.

First, independent claims 12 and 22 are amended to recite a grid pattern of through extending apertures. It is clear from *Snedeker* that the perforations defining the perforation line (11) are not formed in a grid pattern (2:42-59), as required by the pending independent claims 12 and 22.

It will be noted that the backing layer recited in both claims 12 and 22 is described as being “liquid impervious” and “vapor permeable” and therefore cannot be considered to form a plurality of perforations in correspondence with perforations formed in the facing layer. *Snedeker* explains that the film (10) includes perfroations (2:20-35). As such, no perforation line is made possible by the recited backing layer.

Next, independent claims 12 and 22 are amended to indicate that the facing layer is “bonded” to the absorbent core. Since the offal (15) of film (10) and the offal (25) of the release liner (20) in *Snedeker* are removable from the wound covering portion (24) of the dressing, *Snedeker* does not teach the understanding of providing an apertured facing layer that is “bonded” to an absorbent core.

In observing both *Snedeker* and *Fabo*, it is readily apparent that neither of these documents discloses a facing layer formed from a silicone gel compound, and defining non-apertured regions consisting of such silicone gel compound. It is readily

apparent from the action and the teachings of *Snedeker* that there is no such understanding.

Turning to *Fabo*, it is clear that it particularly teaches the need for a reinforcement that must be used in combination with a hydrophobic gel (3:16-5:32). In no manner would the skilled person understand from either *Snedeker* or *Fabo* to provide a silicone gel compound facing layer that has non-apertured regions formed only from such silicone gel compound.

It will be reminded that the claims require that the facing layer is "bonded" to the absorbent core, and that the grid pattern of apertures corresponds to the absorbent core. It is readily apparent that the perforations in *Snedeker* do not correspond to any particular absorbent core. Moreover, nowhere in *Fabo* is there any understanding as to how the wound dressing thereof could be in any way "bonded" to an absorbent core, and specifically making the apertures correspond to an absorbent core.

In view of these observations, it is submitted that the proposed combination of *Snedeker* and *Fabo* fails to disclose or suggest every feature required by claims 12 and 22. As such, the amended claims are not *prima facie* obvious in view of *Snedeker* and *Fabo*. Moreover, the pending claims dependent from claim 12 are patentable based on their dependency from claim 12 and their individually recited features.

Accordingly, withdrawal of this rejection is respectfully requested.

4. Rejection of claim 20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 4,664,106 (*Snedeker*) in view of WO publication 87/05206 (*Fabo*) and further in view of U.S. patent 5,512,041 (*Bogart*)

Reconsideration of this rejection is respectfully requested in view of the amendment to claim 12, and observations provided above in section (3). Claim 20 is dependent from claim 12 and is patentable due to its dependency from claim 12 and its individually recited features.

It is submitted that *Bogart* fails to make up for the aforementioned shortcomings of the combination of *Snedeker* and *Fabo*.

Accordingly, withdrawal of this rejection is respectfully requested.

5. Rejection of claim 23 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 4,664,106 (*Snedecker*) in view of WO publication 87/05206 (*Fabo*) and further in view of U.S. patent application publication 2003/0120229 (*de Jong*)

Reconsideration of this rejection is respectfully requested in view of the discussion on amended independent claims 12 and 22, which possess the same amended features as claim 23.

It is submitted that *de Jong* fails to make up for the aforementioned shortcomings of the combination of *Snedecker* and *Fabo*.

Accordingly, withdrawal of this rejection is respectfully requested.

6. Conclusion

As a result of the amendment to the claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicants' attorney, the examiner is invited to contact the undersigned at the numbers shown below.

BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314-1176
Phone: (703) 683-0500
Facsimile: (703) 683-1080

Date: June 5, 2008

Respectfully submitted,



JUSTIN J. CASSELL
Attorney for Applicants
Registration No. 46,205